

REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present application is respectfully requested. Claims 1-6 are pending in the above application of which claim 1 is independent.

The Office Action dated May 10, 2010, has been received and carefully reviewed. In that Office Action, claim 1 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite, claims 1-3 and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by Dage, and claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dage in view of Itakura. Each of these issues is addressed below, and reconsideration and allowance of claims 1-6 is respectfully requested in view of the above amendments and the following remarks.

AMENDMENTS TO THE SPECIFICATION

By the above amendment, the abstract of the disclosure has been amended to remove legal terms such as “comprising” and to improve the readability thereof. The specification has also been amended to add section headings and to remove references to the claims.

REJECTIONS UNDER 35 U.S.C. 112, SECOND PARAGRAPH

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite because “the second additional heater” lacked antecedent basis. This issue has been addressed by the above amendment, and the withdrawal of the rejection of claim 1 under 35 U.S.C. 112, second paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. 102(b)

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Dage. Claim 1, as amended, recites: in a motor vehicle which has an internal combustion engine and a vehicle interior, and a cooling circuit for cooling the internal combustion engine and a heating circuit which has at least one heating body for heating the vehicle interior and an electrical first additional heater and a heat source connected to the cooling and/or heating circuit as a second additional heater a method. That method includes operating the electrical first additional heater to heat the vehicle interior, operating the second additional heater to heat the cooling and/or heating circuit, and after the second additional heater is operating, switching off or turning down the electrical additional heater. Support for this amendment can be found, for example, at page 4, lines 4-9, where the use of a PTC heater for a "starting phase" is discussed, after which the PCT heater is switched off or turned down, and at page 4, lines 25-27 and 33-38. Dage discusses the use of different heat sources in a vehicle heating circuit, but does not show or suggest the method of amended claim 1. Claim 1 as amended is submitted to be allowable over Dage for at least this reason.

Claims 2-6 depend from claim 1 and are submitted to be allowable for at least the same reasons as claim 1.

REJECTIONS UNDER 35 U.S.C. 103(a)

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dage in view of Itakura. Claims 4 and 5 depend from claim 1. Itakura does not address the shortcomings of Dage discussed above in connection with claim 1. Claims

4 and 5 are submitted to be allowable for at least the same reasons as claim 1.

CONCLUSION

Each issue raised in the Office Action dated May 10, 2010, has been addressed, and it is believed that claims 1-6 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited. If the examiner believes that any additional changes would place the application in better condition for allowance, the examiner is invited to contact the undersigned attorney at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-3828 and please credit any excess fees to such deposit account.

Respectfully submitted,



Martin R. Geissler
Registration No. 51011

PO BOX 1364
Fairfax, VA 22038-1364
1.703.621.7140

Date: August 6, 2010